

***UNITED STATES DISTRICT COURT***  
***SOUTHERN DISTRICT OF OHIO***

JUDGMENT IN A CIVIL CASE

Ella M. Winston

vs

Case No. C2-04-628

Kroger Company

**Judge Frost**  
**Magistrate Judge Abel**

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☐ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

☒ **Decision by Court.** This action was decided by the Court without a trial or hearing.

**IT IS ORDERED AND ADJUDGED** that the Court GRANTS the Defendant's Motion to Dismiss and DISMISSED WITH PREJUDICE the Plaintiff's claim against the Defendant.

Date: **October 7, 2004**

**James Bonini, Clerk**

s/ Scott Miller  
By Scott Miller /Deputy Clerk

